

United States District Court
NORTHERN DISTRICT OF CALIFORNIA

PLAINTIFF

United States of America, et al.

THIRD PARTY SUMMONS IN A
CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

The Shipowners' Insurance & Guaranty Company
Ltd., et al.

CASE NUMBER: C07-06045 SC

V. THIRD PARTY DEFENDANT

The State of California

TO: (Name and address of defendant)

Office of the Attorney General, 455 Golden Gate
Avenue, Suite 11000, San Francisco, CA 94102

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY, (name and address)

R. Michael Underhill
U.S. Department of Justice
Torts Branch, Civil Division
450 Golden Gate Avenue
7th Floor, Room 7-5395
San Francisco, CA 94102-3463

DEFENDANTS AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

John D. Giffin
Keesal, Young & Logan
Four Embarcadero Center, Suite 1500
San Francisco, CA 94111

an answer to the third-party complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

RICHARD W. WIEKING

CLERK

EDERD AMISTOSO

(BY) DEPUTY CLERK

DATE

6/11/08

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE
Name of SERVER (PRINT)		TITLE
Check one box below to indicate appropriate method of service		
<input type="checkbox"/>	Served personally upon the third-party defendant. Place where served:	
<input type="checkbox"/>	Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:	
<input type="checkbox"/>	Returned unexecuted:	
<input type="checkbox"/>	Other (specify):	
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____		_____ Signature of Server
Date		_____ Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.